THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.19657 of 2005

Dated 6th September 2005

Between:

Vatti VijayaBhaskara Varalakshmi D/o.Balaraju,

R/o.Potunuru, Denduluru Mandal, West Godavari Dist.

& 26 others

…Petitioners

and

Commissioner for Cooperation and Registrar of

Cooperative Societies, A.P., Hyderabad & 2 others.

…Respondents

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ORDER:

The petitioners claim to be the employees of various Primary Agricultural Co-operative societies, which are financed by the District Co-operative Central Bank, West-Godavari, at Eluru. All of them are women. It is stated that the petitioners made a representation before the 1st respondent claiming that there are several posts of Clerks in the 3rd respondent-Bank, which are earmarked for women, and that they may be posted against such vacancies, depending on the availability. Their

grievance is that their representation has not yet been considered, and they seek appropriate directions in this regard.

Heard the learned counsel for the petitioners and learned Government Pleader for Co-operation, for respondents 1 and 2, and Sri K.Chidambaram, learned Standing Counsel for respondent No.3.

Admittedly, the petitioners are the employees of the respective Primary Agricultural co-operative Societies. The inter-relation between such societies and the 3rd respondent, in the context of appointment, or posting of employees, is not before this Court. The entitlement of the petitioners to be posted against the vacancies in the 3rd respondent-Bank would depend upon the existence of provision; in the relevant service Rules, for this purpose. It has also to be verified whether the employer is common. The rights of those who have been employed by the 3rd respondent, need to be kept in mind. This Court cannot record any finding at this stage. The respondents cannot keep the matter pending. They can verify the Rule position and intimate the result of the consideration of the representation of the petitioners, so that the matter does not remain uncertain.

For the foregoing reasons, the writ petition is disposed of, directing that the 1st respondent shall consider the representation of the petitioners dated 23-10-2004, with reference to the respective service by-laws of the Cooperative Societies, on the one hand, and of the 3rd respondent, on the other had. The 1st respondent shall also ascertain the views of the 3rd respondent and the Association of its employees, before passing any order, in this regard. This process shall be completed within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.06-09-2005

Note: Office to furnish

copy in three days.

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